

February 23rd, 2005

ATTACHMENT # 1  
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Commissioner Tony Grippa  
Leon County  
County Courthouse, Room 503  
301 S. Monroe St.  
Tallahassee, Fl. 32301

Dear Commissioner Grippa:

My name is Don Rexroad and although I am sure you will not recall, our mutual friend, Chris Wenke, introduced me while you were visiting the Killearn Golf and Country Club several years ago. I am writing to request your assistance, at the County level, in a matter that, until very recently, I presumed involved only a City decision. Although I have not yet received written notice, I have been advised by Commissioner Katz that the City is now requesting input in the matter from Leon County officials. Hopefully, I can gain your support and early effort prior to the County taking a position based only on the City view of the issue at hand.

There has been much correspondence between Commissioner Katz, the City Assistant Manager and myself. Although I have attached copies of all correspondence and documents involved, I will try to provide the basic issues below.

In 1999, the City of Tallahassee offered for sale a residential lot, adjacent to my residence, which they had previously purchased through the City/County flood damage program. This offer was made after my entire neighborhood had besieged the City to properly maintain the lot and they had consistently failed to do so. My wife and I were the only party to show even the remotest interest in purchasing the lot. My wife enjoys gardening as a hobby and we agreed to buy the lot at their offering price of \$5,000, just to provide a place for my wife to exhibit her skills. Because the lot had been obtained through the City/County flood damage program, the Deed has a restriction prohibiting the construction of any permanent building. Since my wife and I had no intention of building at that time, the Restriction was of no concern.

As you are well aware, the flood problem which plagued Killearn Estates homes situated on the three lakes, Lake Kinsail, Lake Killearny and Lake Kanturk, was finally solved in 1995 and 1996 when the City and County spent more than \$3.5 million to obtain flood water holding areas and to improve the drainage system for the three lakes to empty flood waters under Centerville Road. It is worthy to note that this improvement occurred 2-3 years before the City offered the lot in question for sale!

In 2003, my wife, Ellen, and I came upon the idea that instead of making major renovations to our existing home built in 1984, we could, perhaps, persuade the City to remove the building restriction from our lot and build a new home thereon. Due to the lake drainage improvement, our lot, as well as previously flooded lots, had survived the flooding rains of 1999 and 2000 with Lake Kanturk waters never rising closer than 14 inches from the top of the bank. If the restriction was removed, the lot with a newly constructed home would become a source of approximately \$4,000. to \$5,000. annual income through taxes to the City and/or County. I enlisted the support of Commissioner Katz to obtain removal of the deed restriction.

Throughout 2004 and until the present date, the City has rejected Commissioner Katz's and my efforts to obtain removal of the deed restriction. After every presented reason for not granting removal, I have given positive assurance, including legal documentation, to satisfy the City objection proffered. Finally the City offered to make the requested modification if I would re-imburse the City for their expense in obtaining the property. Although the City cited a figure of \$118,000. as the total expense, they did not indicate that the County had paid 60% of that cost in accordance with the City/County agreement. Accordingly, I calculated that the City cost was \$47,200.

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Commissioner Grippa ltr cont'd.

This figure not only represented the City's total expenditure for the lot but also included the value of the house originally thereon. Although I failed to see that the house, which had been totally removed, had any real bearing on the value of the lot, the figure of \$47,200. appeared to be a reasonable value of the property. Accordingly, I advised Commissioner Katz that I would accept the City's offer to remove the restriction for their cost, \$47,200.

Upon receiving my offer, The City informed Commissioner Katz that the City would now have to contact the County to determine what amount the County requires for their share of the \$118,000. total cost!!! So the City has gone from a position of proffering ill-founded objections, each of which has been countered, to offering to amend the deed for their total expense, including the removed house, of \$47,200. But finding no further grounds to refuse my request, the City now has opted to become the Representative of the County in this matter. If I were a betting man, I would wager that the County received not one red cent of the \$5,000. I paid the City for the property in 1999!!!

Obviously, my wife and I fully expected to pay the City/County a reasonable sum for the property in question. However, for the City to expect us to reimburse them for the full \$118,000. expended by the City and County is, in my opinion, quite ridiculous.

After all of this data, you are probably wondering why I have bothered you and understandably so. I sincerely seek your assistance to influence the County to inform the City that the County has no desire for reimbursement in the matter at issue. Unlike the present City position, I believe the County can project the future benefits of a \$350,000. taxable property in place of the present empty lot!!!

I regret the necessity of imposing on your valuable time to assist in this matter. My wife and I have lived in Kilearn Estates for 32 years and earnestly believe that accomplishing our request to the City would be of significant benefit to all parties concerned.

Ellen and I would like to commend you for your diligent work and intelligent decision making on the issues that come before the Leon County Commission.

If I can be of any assistance or provide additional detail, I will be more than happy to do so.

Thanking you in advance for any effort you deem appropriate, I remain

Sincerely yours,



Donald N. Rexroad  
Ph: (850) 893-3479  
(850) 212-6332  
Fax: (850) 893-9894

Enclosures

Copy to: Commissioner Katz